

HIPAA Privacy and Security - Metrics Measurement and Compliance

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Agenda

Improving HIPAA Implementation

- ❑ How do we kick HIPAA up a level?
- ❑ What are the levels?
- ❑ How do we know we're on track?
- ❑ What is your role?

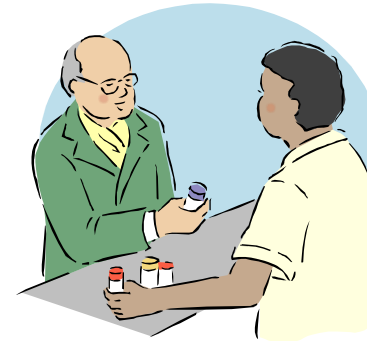


HIPAA Privacy Metrics



To Keep Up the Good Work...

- ❑ A lot of things going on in your day-to-day activities
 - NoPP
 - Sanctions
 - Safeguards
 - Restrictions
 - Complaints and Incidents
 - Accounting of Disclosures
 - Confidential Communication
 - Training and Awareness



...We have to Keep Improving

- ❑ To improve how we implement HIPAA requirements, it is important that we understand
 - *Goal*: why we need to do it
 - *Objective*: our approach
 - *Implementation Evidence*: proof we are doing it
 - *Level of Effectiveness*: how well we do it





Improving Training and Awareness

□ GOAL

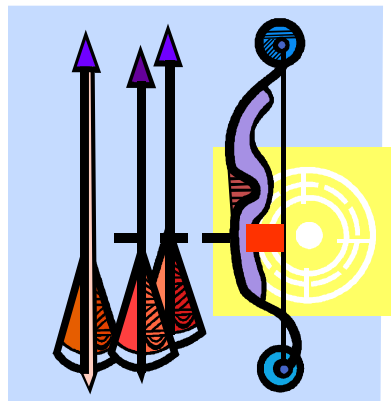
- Statement: All MTF workforce members understand responsibilities for appropriate use, disclosure, and protection of PHI and patients' rights
- Purpose: The target state – where you want to be



Improving Training and Awareness

□ OBJECTIVE

- Statement: Develop and implement a local HIPAA awareness and training program for all members of the workforce
- Purpose: High level approach to aim at the target



Improving Training and Awareness

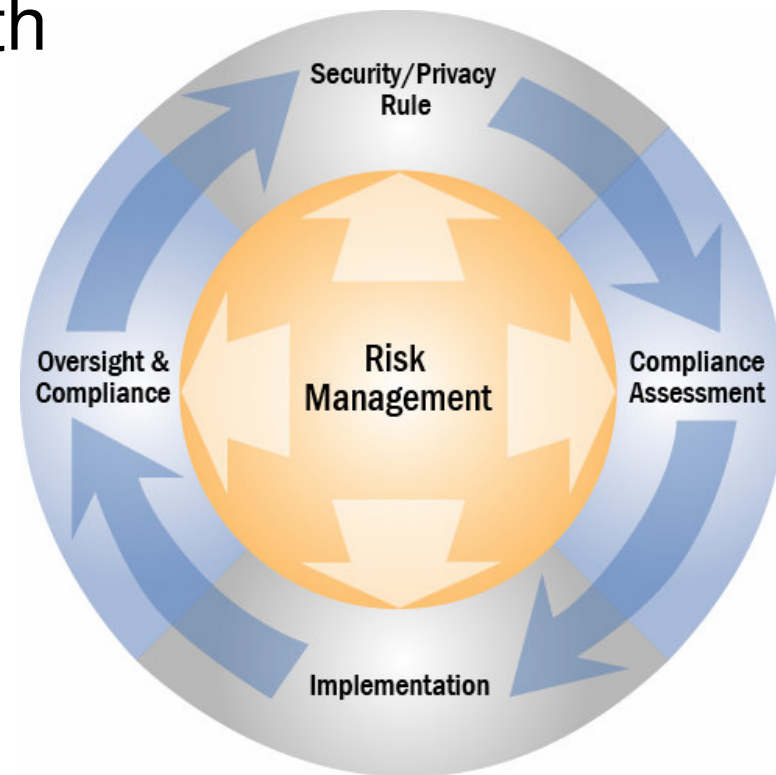
□ EVIDENCE OF IMPLEMENTATION

- Statement: Does the HIPAA Privacy Officer report to senior management monthly on the status of the local training and awareness program
- Purpose: To determine whether basic processes and products are present



Going Forward

- ❑ Identify targets, approaches, and tools to mitigate potential issues and areas of improvement
- ❑ Manage usage of health information
- ❑ Measure effectiveness of Privacy program





Developing Measures



Development



DoD HEALTH INFORMATION PRIVACY REGULATION

DoD 6025.18-R

C14.2. TRAINING

C14.2.1. Standard: Training. A covered entity shall provide training to its workforce on the policies and procedures regarding privacy required by this Chapter, as necessary and appropriate for the workforce to carry out their function within the covered entity.

C14.2.2. Implementation Specifications: Training

C14.2.2.1. A covered entity shall provide training as required by paragraph C14.2.1., as follows:

□ The HIPAA Privacy Regulation was analyzed for

- People
- Processes
- Tools





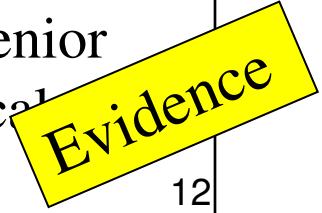
Development

- A *metric* was created for each requirement
- Two types of metrics:
 - *Management*: products and processes
 - *Statistical*: percentages
- HIPAA Privacy Requirements
 - **All** have a *Management* metric
 - **Some** have an additional *Statistical* metric

Content

□ Each metric contains

- Target
- Approach
- Evidence

Performance Goal	All MTF workforce members understand responsibilities for appropriate use, disclosure, and protection of PHI and patients' rights. 
Performance Objective	Develop and implement a HIPAA Privacy awareness and training program for all members of the workforce. 
Evidence of Implementation	Does the HIPAA Privacy Officer report to senior management monthly on the status of the local training and awareness program, including: 

Content

□ Indicators of Effectiveness support the Evidence of Implementation

- Objective, obvious actions and products needed to ESTABLISH compliance



- What is being done to SUSTAIN and IMPROVE compliance



Indicators of Effectiveness

Establish Compliance

- ❑ The MTF provides local training that is supplemental to TMA provided training
- ❑ The MTF promotes awareness through activities and materials
- ❑ The MTF revolves and updates awareness activities and materials
- ❑ The MTF update training with both new and refresher courses and materials



Indicators of Effectiveness

Sustain and Improve Compliance

- ❑ The HIPAA Privacy Officer actively monitors and reports the progress of completing HIPAA training requirements
- ❑ The HIPAA Privacy Officer validates reported training Percentages against the Release of Information results
- ❑ The HIPAA Privacy Officer tests the knowledge of the MTF workforce
- ❑ The MTF maintains documentation of training requirement equivalency



Indicators of Effectiveness

- ❑ Grouped into five Levels of Effectiveness
- ❑ Each Level represents a more complete and effective implementation of a requirement
 - Level 1: Signed local policy
 - Level 2: Signed, disseminated procedures
 - Level 3: Implemented procedures
 - Level 4: Tested and validated procedures
 - Level 5: Integrated policies, procedures, and practices

Level 3: Implemented Procedures

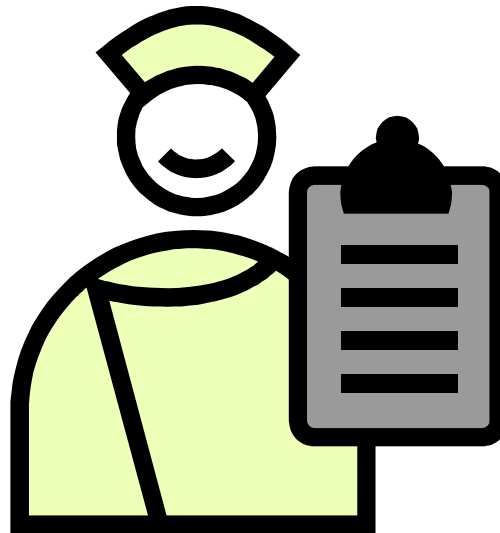
- ❑ Distribution to all affected personnel and periodic acknowledgment from workforce of their awareness and acceptance of responsibility. The MTF maintains documentation of training requirement equivalency
- ❑ Management of compliance throughout the life of the PHI. The HIPAA Privacy Officer actively monitors and reports the percentage from LMS of staff that have completed the HIPAA training requirements

Level 3: Implemented Procedures

- ❑ Updated position descriptions that accurately identify and reflect skill needs and responsibilities
- ❑ Planning, implementing, and maintaining a training and awareness program tailored for varying job functions. The MTF provides local training that is supplemental to TMA provided training, promotes, revolves, and updates awareness activities and materials, and updates training with both new and refresher courses and materials



Using a Metric



How Effective Is Your Program?

□ Determine level of effectiveness

□ Training awareness example:

- Do you have a local policy?
- Are your procedures sent to your workforce?



- Do you test and validate that the training is working?



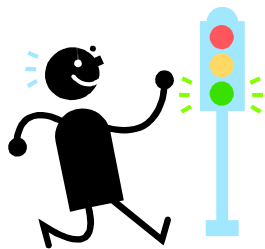
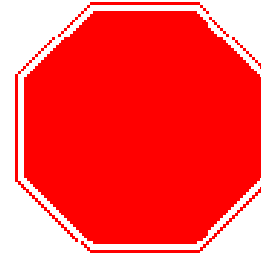
Can You Rely on Just A Number?

- ❑ *THAT* your workforce has completed training is important
- ❑ *WHAT* your workforce does after training is as important



Framework of Effectiveness

- ❑ Level 1: Do you have a local policy?
- ❑ Level 2: Are your procedures sent to your workforce?



- ❑ Level 3: Are local procedures implemented?

- ❑ Level 4: Do you test and validate the procedures?
- ❑ Level 5: Do senior executive staff fully support the program, including funding and resource needs?



Using the Framework of Effectiveness

□ Level of Effectiveness

- Extent requirement integrated in MTF's culture
- Extent policies and procedures meet requirement

□ Determining Level

- Satisfy all level 1 requirements – LEVEL 1 met
- Satisfy all level 1 **AND** 2 requirements – LEVEL 2 met

Level of Effectiveness	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5
	✓	✓	✓		

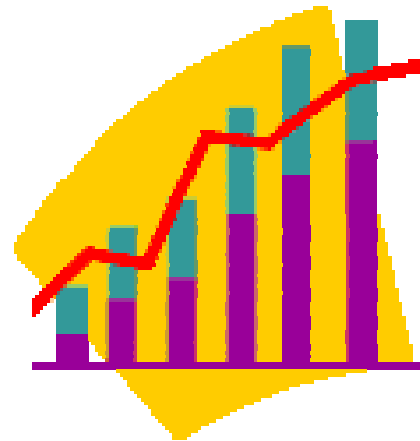
The Status of Your Program

- ❑ To satisfy each requirement, you set
 - Goals
 - Objectives
 - Approach

- ❑ The status of your program is based on a pulse check of all the requirements

Two Kinds of Measures

- Management and Statistical
 - We just measured the effectiveness of *managing* Training and Awareness at the MTF
 - Some requirements (like Training and Awareness) also have a *statistical* measure



Comparing the Two Types of Metrics

- Goal: same for both

Management:

- **Objective:** Develop and implement a local HIPAA awareness and training program for all members of the workforce.

Statistical:

- **Objective:** the MTF trains all workforce members on use, disclosure, patients' rights and protection of PHI.

Evidence of Implementation

- ❑ **Management:** Does the HIPAA Privacy Officer report to senior management monthly on the status of the local training and awareness program?
- ❑ **Statistical:** LMS documented Pass Percentages for Job Positions.

Pass Percentage for Job Positions

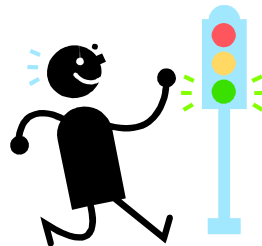
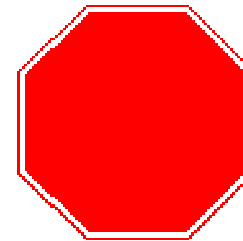
Summary

No. of Students:	111
No. of Students Complete:	6
No. of Students Incomplete:	105
Percentage of Students Complete:	5.4%
Students 31-60 Days Delinquent:	4
Students 61-90 Days Delinquent:	3
Students 90+ Days Delinquent:	97

Framework of Effectiveness

□ Statistical measures based on percentage completion:

- If less than 50% = 1
- if 50% - 74.9% = 2



- if 75% - 84.9% = 3

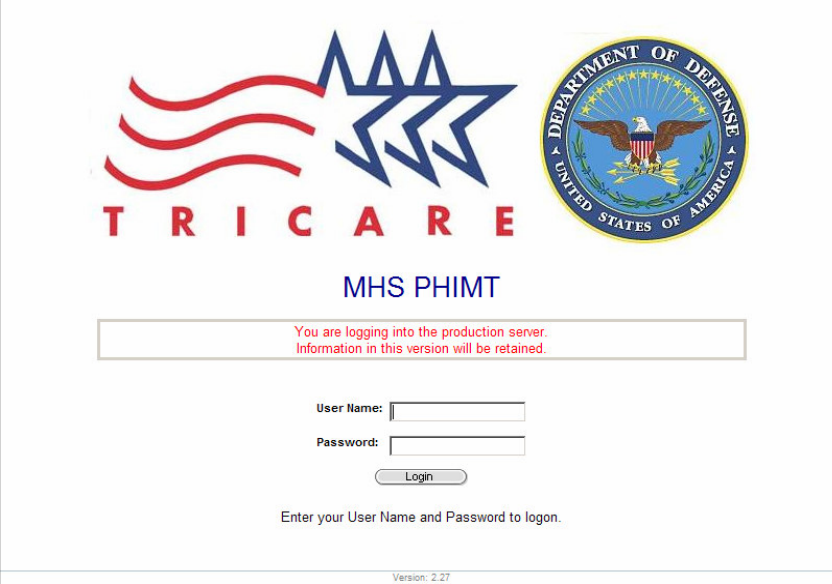
- if 85% - 94.9% = 4
- if 95% - 100% = 5



Management and Statistical Metrics

- Handling these separately and keeping them distinct allows for meaningful comparison and trending without bias
- For example
 - A statistical level of effectiveness score of 5, but a management level of effectiveness score of 2 may suggest difficulty in sustaining the Pass Percentages
 - Conversely, a low statistical score and a high management score may indicate positive trends in the near future.

Accounting of Disclosure Example



The login screen for TRICARE MHS PHIMT. It features the TRICARE logo (three red wavy lines and a blue star) and the Department of Defense seal. The text "MHS PHIMT" is centered below the logos. A red warning message is displayed in a box: "You are logging into the production server. Information in this version will be retained." Below this are input fields for "User Name:" and "Password:", followed by a "Login" button. At the bottom, it says "Enter your User Name and Password to logon." and "Version: 2.27" is at the very bottom.

TRICARE

MHS PHIMT

You are logging into the production server.
Information in this version will be retained.

User Name:

Password:

Login

Enter your User Name and Password to logon.

Version: 2.27





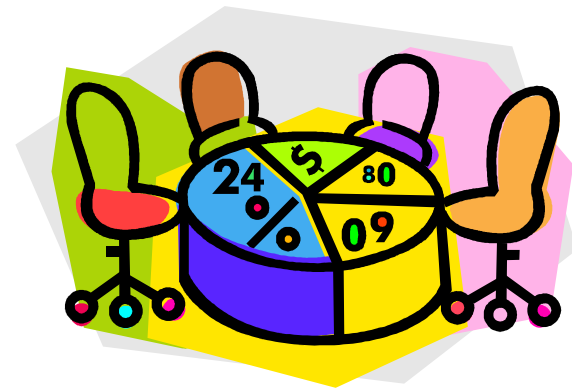
Common Goal

- Applies to both Management and Statistical metrics
- **Goal:** To protect and enhance rights of beneficiaries by allowing them control of inappropriate use and disclosure of their PHI.



Objectives

- ❑ **Management:** The MTF implements a process for authorizing and accounting all disclosures, and provides accountings to patients upon request in a timely manner.
- ❑ **Statistical:** The MTF accurately authorizes, tracks, and accounts for disclosures.

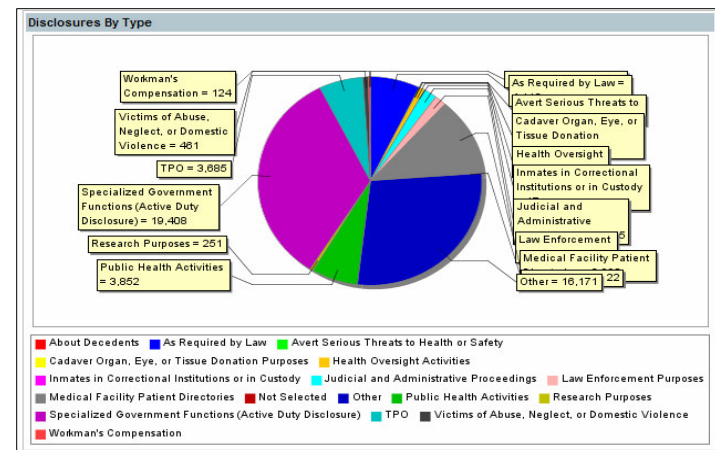


Evidence of Implementation

- **Management:** Does the MTF HIPAA Privacy Officer regularly report to senior executive staff on issues pertaining to accounting of disclosures, and mitigation progress?



- **Statistical:** Comparison of recorded disclosures in PHIMT versus Release of Information records (ROI).



Level of Effectiveness

- ❑ **Management:** Based on the policies, procedures, implementation, etc.
- ❑ **Statistical:** Number of disclosures recorded in the PHIMT against the number based on ROI.
 - Level 1 → 0% - 25%
 - Level 2 → 26% - 74%
 - Level 3 → 75% - 84.9%
 - Level 4 → 85% - 94.9%
 - Level 5 → 95% - 100%



Benefiting from Results



How do you Improve your Program?

- ❑ You've measured aspects of your program, and have a lot of information. Now what?

Requirement	LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4	LEVEL 5
Training Management	✓	✓	✓		
Training Statistical	✓	✓	✓	✓	
Disclosure Management	✓	✓			
Disclosure Statistical	✓				

Next Steps

- ❑ Enhance your program by through trending, analysis, and information sharing
 - Trending enables you to detect possible problems
 - Analysis determines the details of problems
 - Information sharing promotes awareness to prevent negative impact

Next Steps

- Enhance the MHS program through reporting, which enables enterprise-wide trending, analysis, and higher level oversight
 - Regional Command Authorities identify and mitigate local issues efficiently
 - Service Surgeons General unify improvements across the Service
 - TMA promotes cross-Service collaboration that establishes basis for cost-effective solutions

Your Involvement

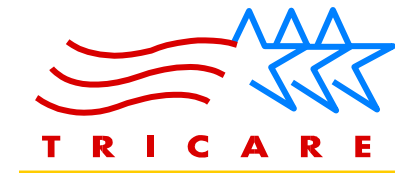
- ❑ The Health Information Privacy and Security Compliance Committee (HIPSCC)
 - Combined efforts of Privacy and Security compliance
 - Promotes collaboration
 - Enables consolidated implementation and management of both Privacy and Security metrics
- ❑ Beta Testing
 - Sites
 - Timeline
 - Approach

Resources

- ❑ DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 2003
- ❑ www.tricare.osd.mil/tmaprivacy/HIPAA.cfm
- ❑ privacymail@tma.osd.mil for subject matter questions
- ❑ hipaasupport@tma.osd.mil for tool related questions
- ❑ <http://www.tricare.osd.mil/tmaprivacy/Mailing-List.cfm> to subscribe to the TMA Privacy Office E-News
- ❑ Service HIPAA Privacy and Security Representatives

Our Commitment

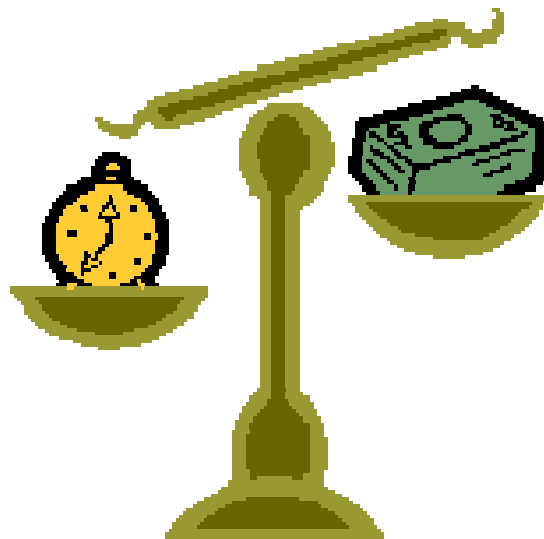
The TRICARE Management Activity (TMA) Privacy Office is committed to ensuring the Privacy and Security of patient information at every level as we deliver the best medical care possible to those we serve.



TRICARE
Management
Activity

Confidentiality ----- Integrity ----- Availability

HIPAA Privacy Metrics



Questions?

Backup Slides

Framework of Effectiveness

- **Level 1:** MTF has up-to-date, signed, and disseminated policy that includes:
 - A Purpose and Scope that states expected goals and boundaries within the MTF;
 - Responsibilities that describe rules of behavior and expectations; and
 - Criteria for meeting the requirements.

Framework of Effectiveness

- **Level 2:** MTF has up-to-date, signed, and disseminated procedures that include:
 - Clarification on where, how, when, to whom, and about what a particular procedure applies;
 - Clearly defined responsibilities and expected behaviors for the workforce by role; and
 - Appropriate points of contact.

Framework of Effectiveness

- ❑ **Level 3:** MTF has implemented and reinforced procedures in a consistent manner through:
 - Distribution to all affected personnel and periodic acknowledgment from workforce of their awareness and acceptance of responsibility;
 - Management of compliance throughout the life of the PHI; including creation, reception, use, edit, transfer, disclosure, deletion, and tracking;
 - Updated position descriptions that accurately identify and reflect skill needs and responsibilities;
 - Planning, implementing, and maintaining a training and awareness program tailored for varying job functions

Framework of Effectiveness

- ❑ **Level 4:** MTF routinely evaluates policies and procedures for adequacy and effectiveness, including:
 - Ensuring evaluation requirements are documented, approved, and effectively implemented. At a minimum, evaluations should be conducted whenever significant changes are made to the mission or requirements;
 - Tracking and analyzing the process for handling issues to identify possible improvements; and
 - Routine reports and issue reports as necessary to senior management.

Framework of Effectiveness

- **Level 5:** The consideration of HIPAA requirements is pervasive to the MTF's culture :
 - An implemented and enforced formal methodology, and an ongoing program to identify and institutionalize best practices;
 - Active support from senior management which ensures effective remedial action is taken on issues, the prioritization of significant issues, and the development of action plans; and
 - Costs and benefits of ongoing management are identified and incorporated in the Program Objective Memorandum (POM) and allocation of needed resources occurs.